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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/387,534	08/31/1999	FELIKS DUJMENOVIC	0100.9901020	2713

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MARKISON & RECKAMP, PC
PO BOX 06229
WACKER DR
CHICAGO, IL 60606-0229

EXAMINER

SHANG, ANNAN Q

ART UNIT PAPER NUMBER

2614

DATE MAILED: 01/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

N.M.

Office Action Summary

Application No.

09/387,534

Applicant(s)

DUJMENOVIC ET AL.

Examiner

Annan Q Shang

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 13-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-12, are drawn to a method of simultaneously displaying full motion video images with a single tuner, classified in class 348, subclass 564.
 - II. Claims 13-20, are drawn to a tuning block in a video receiver, classified in class 348, subclass 731.
2. The inventions are distinct, each from the other because of the following reasons:
3. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as a PIP in television. See MPEP § 806.05(d).
4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
5. During a telephone conversation with attorney Christopher Reckamp on January 8, 2002 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-12. Affirmation of this election must be made by applicant in replying to this Office action. Claims 13-20 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Objections

Claims 9-12 objected to because of the following informalities:

Regarding Claims 9-12, it appears that each occurrence of the word "frame" should be changed to "field" in order to correct an apparent typographical error in the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blatter et al (5,148,275).

Regarding Claim 1, Blatter discloses a method of tuning a system comprising; tuning a receiver to a first frequency (see col. 3, lines 23-27),

receiving a first field of video associated with the first frequency (see col. 3, lines 17-42),

where the first field of video and the second field of video are adjacent in time (see col. 4, lines 34-61, note that the PIP function can be enabled and disabled, displayed in any of the four corners and interchange with the main and inset images),

Blatter further teaches tuning the receiver to a second frequency (see col. 3, lines 48-60), receiving a second field of video associated with the second frequency (see col.

3, lines 48-col. 4, lines 1-2). Blatter differs from this claimed in that Aux in 142 is not explicitly disclosed as connected to auxiliary source tuner (see fig. 1).

Nevertheless it is well know in the television to connect auxiliary devices having tuners, example VCR to television receivers. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the Blatter et al system with an auxiliary connector to VCR in order to take advantage of the additional capacity afforded by such a device.

Regarding Claim 2, Blatter further discloses a method where the step of tuning the receiver to a second frequency further comprises tuning the receiver to the second frequency during a vertical blanking interval (see col. 2, lines 64-66 and col. 3, lines 63-col. 4, lines 1-2).

Regarding Claim 3, Blatter further discloses a method further comprising, providing a second frequency indicator to the receiver prior to the step of tuning the receiver to a second frequency (see col. 4, lines 3-33).

Regarding Claim 4, Blatter further provides a second frequency indicator naturally in less than approximately 1.2 milliseconds (see col. 4, lines 3-33).

Regarding Claim 5, Blatter further discloses a method further comprising the steps of; displaying the first field (see fig. 3),

tuning the receiver to the first frequency after the step of receiving the second field (see col. 3, lines 18-36),

receiving a third field associated with the first frequency (see col. 3, lines 23-col. 4, lines 1-2),

displaying the third field (see col. 3, lines 23-col. 4, lines 1-2),
where the first field and the third field are adjacent frames of a common video image (see col. 3, lines 23-col. 4, lines 1-2).

Regarding Claim 6, Blatter further discloses a method where the first and second fields of video are adjacent when no fields of video are transmitted at the second frequency after a last data of the first field of video and before the first data of the second field of video (see col. 3, lines 23-col. 4, lines 1-2 and col. 4, lines 34-61).

Regarding Claim 7, Blatter further discloses a method where the step of tuning the receiver to a second frequency occurs during a vertical blanking interval (see col. 2, lines 64-66 and col. 3, lines 61-col. 4, lines 1-2).

Regarding Claim 8, Blatter further discloses a method of providing video (see fig. 3), comprising; tuning a receiver to a first frequency (see col. 3, lines 23-27),

receiving a first field of video associated with the first frequency (see col. 3, lines 17-42),

where the first field of video and the second field of video are adjacent in time (see col. 4, lines 34-61),

tuning the receiver to the first frequency (see col. 3, lines 23-27), receiving a third field of video associated with the first frequency (see col. 3, lines 23-col. 4, lines 1-2),

displaying an image based upon the first location of a display device (see fig. 3), displaying an image based upon the second field at a second location of a display device (see fig. 3),

where the first location and the second location are substantially mutually exclusive (see col. 3, lines 23-col. 4, lines 1-2 and col. 4, lines 34-61),

and displaying an image based upon the third field at the first location of the display device to provide a full motion video sequence (see col. 3, lines 23-col. 4, lines 1-2 and col. 4, lines 34-61),

Blatter further teaches tuning the receiver to a second frequency (see col. 3, lines 48-60), receiving a second field of video associated with the second frequency (see col. 3, lines 48-col. 4, lines 1-2). Blatter differs from this claimed in that Aux in 142 is not explicitly disclosed as connected to auxiliary source tuner (see fig. 1).

Nevertheless it is well know in the television to connect auxiliary devices having tuners, example VCR to television receivers. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement the Blatter et al system with an auxiliary connector to VCR in order to take advantage of the additional capacity afforded by such a device.

Regarding Claim 9, Blatter further discloses a method of displaying video comprising; alternating reception of a first field set and a second field set at a common receiver (see fig. 1, tuner assembly 102),

where the first field set is associated with a first with a first frequency (see col. 3, lines 17-42),

and the second field set is associated with a second frequency (see col. 3, lines 48-col. 4, lines 1-2),

and simultaneously displaying the first field set and the second field set as full motion video (see col. 3, lines 23-col 4, lines 1-2 and col. 4, lines 34-61).

Regarding Claim 10, alternating frames sets are naturally received in the Blatter receiver via the tuner 102 and the Aux in 142 within 1.2 milliseconds (see fig. 1, tuner assembly 102 and col. 4, lines 3-33).

Regarding Claim 11, Blatter further discloses a method where the step of simultaneously displaying includes simultaneously displaying the first field set and the second field set as full motion video on a single display device (see col. 3, lines 23-col. 4, lines 1-2 and col. 4, lines 34-61).

Regarding Claim 12, Blatter further discloses a method where the step of simultaneously displaying includes simultaneously displaying the first field set and the second field set as full motion video on different display devices (see col. 3, lines 23-col. 4, lines 1-2 and col. 4, lines 34-61).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pauley (5,900,916) discloses an apparatus for control of images from multiple sources.

Banker et al (5,485,221) disclose a subscription Television system and terminal for enabling simultaneous display of multiple services.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annan Q Shang whose telephone number is 703-305-2156. The examiner can normally be reached on 700am-500pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5991 for regular communications and 703-746-5991 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.



Annan Q. Shang
January 14, 2002



JOHN W. MILLER
PATENT EXAMINER